



Shapiro Arato Bach LLP

1140 Avenue of the Americas, 17th Floor, New York, NY 10036
phone: 212-257-4880
www.shapiroarato.com

Alexandra A.E. Shapiro
ashapiro@shapiroarato.com
Direct: 212-257-4881

April 23, 2025

VIA ECF

Hon. Arun Subramanian
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. Combs*, 24-cr-542 (AS)

Dear Judge Subramanian:

On behalf of defendant Sean Combs, we write to object to the government's "supplemental letter" submitted this afternoon regarding the proposed testimony of Dawn Hughes as an improper surreply and motion for reconsideration. Mr. Combs's motion in limine to preclude Dr. Hughes's testimony has already been fully briefed and fully argued.

The Court heard extensive oral argument on the motion at the conference held on April 18, 2025, and indicated it intended to restrict Dr. Hughes's testimony to two limited sections of her disclosure, and to prohibit her from using the term "coercive control." *See* 4/19/25 Tr. 51. The Court indicated that it intended to issue a written decision this week. *See id.* The government then immediately sought to re-argue the point and expand the scope of her testimony. *See id.* at 52-53. In response, the Court provided some clarification but instructed the parties that they should await the Court's written ruling regarding Dr. Hughes's testimony, and that: "If something that I say is unclear and you want clarity, all you have to do is ask." *Id.* at 53. Instead, the government seeks to re-argue its position, despite having had a full opportunity to brief and argue the motion already, and without presenting any "matters or controlling decisions" that the Court "has overlooked." Local Civil Rule 6.3; *United States v. Yannotti*, 457 F. Supp. 2d 385, 389 (S.D.N.Y. 2006) (applying rule and collecting criminal cases).

The Court should decline to even consider the government's post-argument letter or entertain its belated re-arguments. However, if the Court is inclined to consider the government's letter, in light of the other upcoming deadlines in this case, we respectfully request leave to file a response to the substance of the letter by April 28, 2025.

Respectfully submitted,

/s/Alexandra A.E. Shapiro

Alexandra A.E. Shapiro

Jason A. Driscoll

SHAPIRO ARATO BACH LLP

1140 Avenue of the Americas, 17th Fl.
New York, NY 10036

Hon. Arun Subramanian
April 23, 2025

(212) 257-4880
ashapiro@shapiroarato.com
jdriscoll@shapiroarato.com

Marc Agnifilo
Teny Geragos
AGNIFILO INTRATER
445 Park Ave., 7th Fl.
New York, NY 10022
646-205-4350
marc@agilawgroup.com
teny@agilawgroup.com

Anna Estevao
SHER TREMONTE LLP
90 Broad St., 23rd Fl.
New York, NY 10004
(212) 202-2600
aestevao@shertremonte.com